

**FARMINGTON CITY
PLANNING COMMISSION MEETING
September 17, 2013**

WORK SESSION

Present: Chairman Bob Murri, Commissioners Brett Anderson, Kris Kaufman and Mack McDonald, Alternate Commissioner Rebecca Wayment, Community Development Director David Petersen, Planning Intern Eric Anderson and Recording Secretary Lara Johnson. Commissioners Brad Dutson, Brigham Mellor and Michael Nilson and Alternate Commissioner Nate Creer were excused.

#3 – Plat Amendment Approval for Bell Estates

Applicant is requesting splitting parcel Lot 1 of the current Bell Estates Subdivision into 2 lots. Currently, there is a 55' Public ROW and Easement across the north side of the property. David Petersen explained it would be difficult to require a property owner to solely put the road in as it would be very expensive. Behind the property, the School District has purchased the property for a new elementary school and will not use the road. David Petersen said the School District already has funding for the school so development should be about a year out. The developer is requesting to vacate the ROW.

#4 – Schematic Plan Approval for Villa Susanna Conservation Subdivision

David Petersen explained the applicant is wanting to purchase the property at 1400 North and Main Street to build three homes, one to live in and two others for his children. He said that each lot fronts the road, but the applicant wants a common access drive in between the lots that the homes would face. He explained that the ordinance calls for a home to face the front of the road, but the applicant has agreed to make the sides and rear of the homes look like a front by including a nice door, light fixtures, etc. David Petersen also explained that a condition of the proposed motion is the applicant must have approved elevations by the Planning Commission prior to Final Plat approval. He also said the applicant has agreed to preserve the stairs to the former LDS church building that is located on the property. Kris Kaufman expressed concerns about cars entering 1400 North from the development's common access road. He explained visibility is limited to any of the oncoming traffic traveling down the hill on 1400 North. He wanted to know if there are any conditions for safety precautions that could be included in the motion. David Petersen said it could be included that the developer must work with the City traffic engineer on determining the most appropriate safety precautions to take.

#5 & #6 – Schematic Plan Approval and Zone Text Change for The Village at Station Park

David Petersen explained there are still issues with the utilities of the development. He and Eric Anderson explained some of the challenges the developer is facing. They feel confident a resolution will be reached in the next few days, however, they recommended tabling item #5 until it is reached. David Petersen also explained the chart provided in the staff report regarding the uses permitted in live/work units. He stated live/work units are permitted in the RMU zone and that the developer is specifically looking to attract neighborhood type services.

REGULAR SESSION

Present: Chairman Bob Murri, Commissioners Brett Anderson, Kris Kaufman and Mack McDonald, Alternate Commissioner Rebecca Wayment, Community Development Director David Petersen, Planning Intern Eric Anderson and Recording Secretary Lara Johnson. Commissioners Brad Dutson, Brigham Mellor and Michael Nilson and Alternate Commissioner Nate Creer were excused.

Previously on September 12, 2013, the Planning Commission meeting was cancelled at 7 p.m. The appropriate notices did not go out to the public prior to the meeting. The meeting was rescheduled for Tuesday, September 17, 2013, as shown in the minutes below. All public hearings commenced at that time, but the City still accepted written comments prior to September 17, 2013.

#1 – Minutes

Mack McDonald made a motion to approve the Minutes of the August 29, 2013 Planning Commission meeting. Kris Kaufman seconded the motion which was unanimously approved.

#2 – City Council Report

Eric Anderson provided a report from the City Council meeting on September 3, 2013. He stated the Council approved the Kestrel Bay Estates Schematic Plan with the 450 South connection. The Council, however, did not require any additional connections to 620 South as per the Planning Commission's recommendation. The Final Plat approvals for the Miller Meadows Phase 5 and Oakwood Estates Phase 6 were also approved.

SUBDIVISION APPLICATIONS

#3. Jerry Preston (Public Hearing) – Applicant is requesting a recommendation for Plat Amendment approval for Bell Estates (2 lots) on 1.33 acres located at 744 South Country Lane in an AE zone. (S-11-13)

Eric Anderson explained the developer is proposing a conservation subdivision which allows for smaller lot sizes with an open space provision. To the north of the applicant's property is a 55' ROW and Easement to allow a connection to the property directly west of the development. The Davis School District has now purchased the property just west of the development and has plans to build a new elementary school there. Access to the school will be from a different direction. The developer is requesting that the ROW be vacated on this property. If the plans for the school fall through and the property is later developed as residential, then the City will need the 55' ROW. Also, the developer is asking for a waiver of the open space provision.

Jerry Preston, 347 East 100 North, is representing the owner of the property, Mark Bell. He explained the property was originally developed as 2 lots; Mr. Bell lives on Lot 2. He is requesting to split Lot 1 into 2 lots. They are moving forward with the development since the elementary school has already been approved and budget has been set aside. Once the school is built, there will be no use for the road. In the rare event the School District does not build there, he explained there are at least 5 other potential access roads to the property.

Brett Anderson asked if there is a need for an access trail to the school instead of the 55' ROW. **Jerry Preston** said he and **David Petersen** called the School District. The School District has done away with access trails and they do not want any more built.

Bob Murri opened the Public Hearing at 7:20 p.m.

No comments were received.

Bob Murri closed the Public Hearing at 7:20 p.m.

Mack McDonald is uncomfortable giving up the ROW without seeing conceptual plans for the development from the School District. **Eric Anderson** explained if the elementary school is built, there are no plans to develop the road, nor do they want the road. He said the school already has funding; it is mostly a done deal. **Mack McDonald** still believes it is too early to vacate the ROW.

Kris Kaufman asked for further clarification on how the lots will be split. He said it looks as though the lots are big enough as is, as shown in the Bell Estates plan in the staff report, with the 55' ROW. **Jerry Preston** clarified the plan **Kris** is referring to is the current subdivision; the desire is to split Lot 1 from 1.33 acres into 2 lots which would be approximately .67 acre each as shown in the proposed plan in the staff report.

Brett Anderson asked what the City's intentions were with the 55' ROW. **David Petersen** explained the City proposed the 55' ROW because they did not know how the land to the west of the applicant's property would be developed. The City wanted to ensure there was another way out. He explained customarily when a property owner develops, it is their responsibility to put the ROW in; however, it would be a large burden to place on the property owner in this circumstance so an easement was placed over it in hopes the future developer of the Diument property would build the road. He stated now looking at the situation, it would be very difficult for the City to require a developer to build an off-site local street. Once the School District purchased the property, they stated they do not want the road or an access trail.

Kris Kaufman asked if the School District could change their opinion on access trails once the board members are changed. **David Petersen** said maybe yes. **Jerry Preston** said they are open to putting a trail, but if the School District is going to block it off, then there is no point.

David Petersen suggested a good compromise may be to have condition #2 of the proposed motion be amended to read property for a pedestrian trail be maintained until such a time when the School District begins construction, then if the School District is still against the trail, the property can then be vacated back over to the property owner.

Motion:

Kris Kaufman made a motion that the Planning Commission recommend that the City Council approve the proposed Schematic Plan for the Bell Estates First Amended Conservation Subdivision and recommend waiving the open space requirement in exchange for just compensation, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The City Manager determines what just compensation is for the waiver of the 14,484 square feet of open space, and the City Council approves the waiver prior to Final Plat approval.

2. A maximum of 10' Public Right-of-Way for a potential pedestrian walkway shall be maintained until such time as the Davis School District begins construction of their new school on the property to the west.
3. There is an agreement recorded with the Final Plat that allows that the ROW and Easement be vacated when construction of the school begins if the School District will still not allow for an access trail, and a note is placed on the Final Plat referring to said agreement.

Rebecca Wayment seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed subdivision is in substantial compliance with all subdivision and zoning requirements for schematic plan approval including;
 - a. A completed application;
 - b. Minimum lot sizes as set forth in the AE zone for a conservation subdivision;
 - c. Description and preliminary layout of utilities and other services required.
2. The ROW will be needed for access for residential development if the plans for the new school do not go as planned.

#4. Frank McCullough/Alan Bruun (Public Hearing) – Applicant is requesting a recommendation for Schematic Plan approval for the Villa Susanna Conservation Subdivision (3 lots) on .88 acres located at the northeast corner of 1400 North and Main Street in an LR-F zone. (S-14-13)

Eric Anderson said the applicant is proposing a total of 3 lots on .88 acres that will include a shared drive that will service all 3 lots from 1400 North. Applicant is requesting a waiver for the open space requirement as well as a waiver for the 80' buffer from all external roads (IE: Main Street). Any waivers must be approved by City Council. Staff has also recommended the front steps to the historic LDS church building that used to be located on the property be preserved for the cultural heritage of the City. Before the Final Plat is approved, staff has also requested the applicant submit final elevations to the Commission to be approved.

Mike Evans, 232 East 1875 North, Centerville, is looking to purchase the property and develop homes on the 3 lots; one home for him to live in and two for his children. Although they didn't expect so many challenges in obtaining this property, he is excited and looking forward to making this work.

Brett Anderson asked Mr. Evans if he has any concerns with the City's requirements that the sides of the homes facing the road have a frontage appearance. **Mike Evans** said no; he provided two home renderings, including how the current designs of the back of the homes have a frontage appearance. **Bob Murri** asked the proposed square footage of the homes. **Mr. Evans** said the smaller one is approximately 2600 square feet on the main level and has an unfinished basement. The larger home is approximately 7000 square feet.

Also included in the pictures was an image of a stone textured concrete wall. **Kris Kaufman** asked for more information regarding the wall. **Mike Evans** explained they would like to place a sound barrier wall behind the current 3' wall along Main Street to decrease the traffic noise. They don't have exact details on how tall the wall will be or what the City requires; they just like the look of this specific sound barrier wall. They would also like to keep as many of the mature trees behind the current 3' wall by placing the sound wall behind those trees.

Mike Evans also explained how they plan to preserve the historic LDS church building stairs. They would like to mount the cornerstone, which says erected 1918, to the back of the stairs. Commissioners also suggested having a plaque with a possible picture and description of the former LDS church building so others would know the significance of the stairs. **Mike Evans** said he is happy to entertain the idea based on cost.

Bob Murri opened the public hearing at 7:56 p.m.

Frank McCullough, 1553 North Ridgeview Cir., has been working with the current property owner to get the previous building on the property to come down and move forward the property's development. He is pleased to have the Evans family looking to build this subdivision; he feels it will be well maintained and will help property values to be higher. All sewer, water and other utilities have already been completed with the previously proposed PUD. This subdivision will use these same plans. He also is very excited about the plans to preserve the original stairs of the LDS church building.

Nathan Wolfley, 1603 Charlene Dr., Bountiful, is the son-in-law to Mike Evans. He will be building one of the homes in the 3 lots. He grew up in Farmington and is excited at the possibility of moving back. He looks forward to working with the City to make this development happen.

Bob Murri closed the public hearing at 8:00 p.m.

Kris Kaufman expressed concern with the development's common access onto 1400 North. He is concerned about oncoming traffic of 1400 North as visibility is very limited. He would like a condition on the motion that all reasonable safety precautions are looked at by the City's traffic engineer.

Mack McDonald asked Mr. Evans why he would like a sound wall along Main Street. **Mike Evans** explained he feels the noise from Main Street is one of the negatives to the property. He feels the sound wall is a necessity. He said to also keep in mind it is not a large "wall," but will look more like a fence. **Frank McCullough** said a sound wall typically cuts down approximately 30-40% of the noise. Building something like this would help preserve the value of the property. **Mack McDonald** is concerned about how the wall will look along Main Street.

Motion:

Kris Kaufman made a motion that the Planning Commission recommend that the City Council approve the proposed Schematic Plan for the Villa Susanna Conservation Subdivision, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The City Council must approve a waiver of the open space requirement and setback requirements related to Sections 11-12-090 (f) and Section 11-12-100 (b) and (d) of the Farmington City Zoning Ordinance as referenced in the Staff Report. The City must receive just compensation or other consideration for the waiver of open space as per Sections 11-12-065 and 11-12-068.
2. The Final Plat must show a perpetual access easement to lot 2 of no less than 12' that is wholly on lot 1 or 3.

3. The developer shall record a reciprocal access easement common to all three lots at least 20' in width, this must also be shown on the final plat.
4. Main Street and 1400 North building elevations and landscaping and access plan shall be reviewed and approved by the Planning Commission prior to consideration of the Final Plat.
5. The front steps on Main Street shall be preserved.
6. Public improvement drawings, including a grading and drainage plan, shall be reviewed and approved by the Farmington City Public Works, City Engineer, Storm Water Official, Fire Department, Central Davis Sewer District and Benchland Water.
7. The property owner will work with the City traffic engineer to take all reasonable safety precautions that could be placed on 1400 North from the common access drive of the Villa Susanna subdivision.

Rebecca Wayment seconded the motion. Commissioners Bob Murri, Brett Anderson, Kris Kaufman and Rebecca Wayment approved the motion. Commissioner Mack McDonald denied it.

Findings for Approval:

1. The proposed schematic subdivision is in substantial compliance with all subdivision and zoning requirements for a schematic subdivision approval including:
 - a. A completed application;
 - b. Minimum lot sizes as set forth in the LR-F zone;
 - c. Description and preliminary layout of utilities and other services required;
2. The proposed subdivision is desirable in that the platting of the property in this area will provide a cleaner description and record of the properties and residences in the subject area.
3. The proposed Schematic Plan submittal is consistent with all necessary requirements for a Schematic Plan as found in Chapter 3 of the City's Subdivision Ordinance.
4. The motion ensures that building will appropriately front Main Street and 1400 North and not compromise the appearance of the corridor.
5. By preserving the steps, an historical reminder will remain of the church that existed on the site, this meets the goals of the General Plan.

#5. Henry Walker Homes – Applicant is requesting a recommendation for Schematic Plan approval for The Village at Station Park subdivision (128 lots) on 12.11 acres located at the northwest corner of Clark Lane and 1100 West in an RMU zone. (S-10-13)

Eric Anderson explained this is the same Schematic Plan that was before the Commission on August 29, 2013. The item was tabled due to unresolved conflicts with the utilities and the petroleum/gas lines. The item has still not been resolved; staff recommends tabling the item until the next Planning Commission meeting.

Leslie Mascaro, 14547 South Hedgerose Dr., Herriman, representative for Henry Walker Homes (HWH), said she is available to answer any questions from the Commission.

Kris Kaufman wondered if she has any problems tabling this item until the next meeting. **Leslie Mascaro** would like the staff to feel comfortable with the plans so she does not have any issues tabling this item.

Motion:

Brett Anderson made a motion that the Planning Commission table the action due to unresolved issues related to the gas line, building height and the uses allowed in the live/work units. **Mack McDonald** seconded it which was unanimously approved.

ZONING TEXT CHANGE

#6 – Henry Walker Homes – Applicant is requesting recommendation to amend Chapter 18 of the Zoning Ordinance regarding proposed changes to the building height requirement in the RMU zone. (ZT-4-13)

Eric Anderson explained this item was also tabled at the previous Planning Commission meeting due to 4 conditions, which included non-residential uses in the live/work units, elevations of the product and the area, a visit to the proposed project site and clarifying language for the proposed ordinance change. The uses for the live/work units as well as elevations were provided in the staff report. Most of the Commission was able to attend the visit to the project site. The proposed clarifying language was read as shown in the staff report.

Leslie Mascaro, 14547 South Hedgerose Dr., Herriman, said in considering the text amendment, remember this particular site is isolated with two major collector streets on both sides of the development and a large conservation easement to the west. The closest home is 300 feet from the proposed 3 story building. Also, the closest point from HWH property line to the trail is 103' feet as well as a 20' buffer they have included in their plans. In addition to staff's requirement of placing trees along the western border, HWH would like to put a 6' continuous fence along the west side and southern tip of the development.

Since this is an ordinance change, **David Petersen** explained the other RMU zone that will be affected will be the property to the north of Clark Lane. Since it will affect that property, staff rewrote the ordinance in a way that will be pleasing to the Farmington Ranches East development.

Brett Anderson would like language included in the ordinance that says in addition to meeting the standards, a development must also be in harmony with the surrounding areas. **David Petersen** said similar wording is included in the City's conditional use ordinance. **Kris Kaufman** suggested having the alternative language amended to an if/then statement, which would read "If a transition area is created...", "then, at its sole discretion, the City may or may not..."

Mack McDonald asked about buildings that have setbacks to allow for more sunlight, similar to buildings along 2100 South in Sugar House. **David Petersen** said that would not apply to this proposed height, but could apply to the 6-8 stories allowed in the TMU zones. Staff will pursue it in the future.

Since a City cannot deny permitted uses within a zone, **Brett Anderson** was curious if the applicant has a desire to self-limit their own rights to uses regarding food preparation/bed & breakfasts in their live/work units for the sake of future residents. **Leslie Mascaro** explained she does not foresee a fast food type restaurant coming into those live/work units because the work section of the unit is approximately 600 square feet. They would feel comfortable reviewing the uses to possibly exclude some.

Phil Holland, 500 North Marketplace Dr., Centerville, explained that in their similar project in Murray, there is a coffee shop, but the other uses do not fit into that category. He said non-permitted uses, like food preparation or distribution, could easily be included in the development's CC&R's. **David Petersen** said typically the City attorney reviews CC&Rs to determine who takes over the common area in the event the HOA goes under. During that time, staff can provide comments. **Commissioners** agreed they would also like to see a copy of the CC&Rs.

Mack McDonald wanted further clarification on how the developer plans to maintain the live/work units. In his experience, 2nd and 3rd generation owners transform the area into a live/live. He feels that the City has planned for a mixed-use area; he is worried that it would all turn residential in a short time. **Phil Holland** explained there will be no restrictions on how property owner use this space, whether it is live or work. That is why they are calling it a flex-space. They feel the market for live/work units is big enough; however, he feels they would have a difficult time selling the units if they were restricted to solely live/work.

Motion:

Kris Kaufman made a motion that the Planning Commission recommend that the City Council approve an increase in building height on local streets in the RMU zone, pursuant to adopting the alternative language provided by City staff with following changes:

1. Fix the typo from "are" to "area;"
2. Start the alternative language with the phrase "If a transition area is created...", then listing the 3 standards;
3. Move the entire introductory phrase "Then, at its sole discretion, the City may or may not..." to the end of the language to create an if/then statement and
4. Add language that includes a development must also be in harmony with the surrounding areas in addition to meeting the standards listed.

Rebecca Wayment seconded which was unanimously approved.

Findings for Approval:

1. The draft ordinance language recommends a buffer which will mitigate negative impacts which may result from the increase in building height.
2. The bugger is measurable and will provide a transition to areas specifically identified by the City's General Plan.
3. Developers must provide more housing types for the greater height which will mitigate the visual appearance of the taller buildings and create greater building/housing diversity in the City's mixed use areas.
4. The Distance of 300 feet represents half the distance of the length of the maximum block face in the RMU zone.
5. Medium and large sized trees are defined in Chapter 42 (Urban Forestry) of the Zoning Ordinance.

OTHER BUSINESS

#7. Miscellaneous, correspondence, etc. (A) Potential Skate Park (B) Other.

Information regarding the potential Skate Park has been tabled until the next Planning Commission meeting.

David Petersen said a letter was sent by a citizen to the Farmington and Centerville Planning Commissions regarding increasing the shoulder on the Frontage Road to make it safer. He hopes the two cities will meet to start looking for ways to finance the improvements.

Kris Kaufman said the blue and yellow sign at Rose Cove apartments has never come down. **David Petersen** will look into it.

David Petersen provided the City's comments to FHWA and UDOT regarding the West Davis Corridor to the Commission. He also said he should have more information regarding filling the Associate City Planner's position by next week.

ADJOURNMENT

Motion:

At 9:06 p.m., **Kris Kaufman** made a motion to adjourn the meeting which was unanimously approved.



Bob Murri, Chairman
Farmington City Planning Commission